

Docket No. 241858US2/phh



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Takaya SUDA

SERIAL NO: 10/647,336

GAU: 2186

FILED: August 26, 2003

EXAMINER:

FOR: MEMORY CARD AUTHENTICATION SYSTEM, MEMORY CARD HOST DEVICE, MEMORY CARD, STORAGE AREA SWITCHING METHOD, AND STORAGE AREA SWITCHING PROGRAM

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

### REFERENCES

- The applicant(s) wish to make of record the references cited in the attached Japanese Office Action and listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

### RELATED CASES

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

### CERTIFICATION

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

### DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. 241858US2	OCT 25 2005	SERIAL NO. 10/647,336
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Takaya SUDA		
		FILING DATE August 26, 2003	GROUP 2186	

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,226,202 B1	05/01/2001	Shuichi KIKUCHI			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	NO
	AO	63-143689	06/15/1988	JAPAN (with English Abstract)		X
	AP	4-372027	12/25/1992	JAPAN (with English Abstract)		X
	AQ	7-302175	11/14/1995	JAPAN (with English Abstract)		X
	AR	6-95979	04/08/1994	JAPAN (with English Abstract)		X
	AS	2001-503166	03/06/2001	JAPAN (with English Abstract of corr. US 6226202)		X
	AT	7-78056	03/20/1995	JAPAN (with English Abstract)		X
	AU	2000-322539	11/24/2000	JAPAN (with English Abstract)		X
	AV	WO 02/05285 A2	01/17/2002	WIPO		
	AW	2002-163139	06/07/2002	JAPAN (with English Abstract)		X
	AX	8-30750	02/02/1996	JAPAN (with English Abstract)		X
	AY	2000-260188	09/22/2000	JAPAN (with English Abstract)		X
	AZ	2001-60397	03/06/2001	JAPAN (with English Abstract)		X

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)**

BA	
	<input type="checkbox"/> Additional References sheet(s) attached
Examiner	Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Reference No: AMB027016

Dispatch No: 317032

Dispatch Date: August 30, 2005



## NOTICE OF GROUNDS FOR REJECTION

JAPANESE PATENT APPLICATION SERIAL NO. 2002-245863

Drafting Date: August 19, 2005

EXAMINER: TANJI, Akira 3563 5N00

Provisions Applied: Patent Law, Articles 29(2), and 36

This patent application shall be rejected for the reasons listed below. The applicant may file any arguments within sixty days from the mailing date.

### Reasons

Reason A. Claims 1-22 are rejected under Patent Law, Article 29(2) because the inventions defined by those claims could easily have been made, prior to the filing date of the patent application, by a person with ordinary skill in the art, on the basis of an invention or inventions described in publications distributed in Japan or elsewhere prior to the filing date of the patent application.

#### Note (as to reference, see LIST of reference)

(1) With regard to the invention in claims 1, 2, 16, and 22: cited references 1 to 4

Both cited references 1 and 2 describe the system for authenticating a memory card that comprises a memory card host device including a plural area authentication module which judges whether the memory card has plural storage areas (block, bank), and an area switching module which switches a storage area (block, bank) subject to access a different storage area from among plural storage areas (block, bank); a memory card including plural storage areas (block, bank), a storage areas number retaining module which retains a value indicating the number of storage areas, and a controller which is structured so as to read the value indicating the number of the storage areas to the memory card host device; and a bus which transmits and receives data between the memory card host device and the memory card.

However, both cited references 1 and 2 describe a DIP switch (a prior

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art in cited references 1 and 2) and a memory in a predetermined address (a technology disclosed as invention in cited references 1 and 2). Therefore, cited references 1 and 2 fail to describe:

- (a) Retaining a value indicating the number of storage areas in an internal register of the memory card.
- (b) Including a controller that transmits the value indicating the number of the storage areas to the memory card host device.

The above (a) and (b) are discussed below.

With regard to (a)

Here, either using an internal register as a means for retaining attribute information and management information, which indicate the number of storage areas, or using a DIP switch or a part of storage areas is a mere matter of design variation that a person skilled in the art can select as needed.

With regard to (b)

Both cited references 3 and 4 describe the memory card that includes the controller controlling an access to a memory and transmitting commands and data between the memory card host device. The controller transmits information indicating the number of the storage (sector, cluster) included in a memory card to the memory card host device.

According to this, a person skilled in the art could have easily arrived the invention in claim 1 by applying the controller, which is described in cited references 3 and 4, to the claimed invention of cited references 1 and 2 as needed, there is no particular difficulty (claim 1).

Moreover, as described above, the inventions in claims 2, 16 and 22 have no particular difference in comparison with the memory card host device described in cited references 1 and 2 (claim 2, 16 and 22).

(2) With regard to the invention in claims 3, 4, 8, 9, 17 and 18: cited

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**references 1 to 4**

It is a mere matter of design variation that a person skilled in the art can select as needed whether using a reserved area of an internal register so as to retain the number of storage areas or using an internal register for the plural storage areas for exclusive use.

**(3) With regard to the invention in claims 5 to 7, 10 to 12 and 19 to 21: cited references 1 to 5**

It is a mere matter of design variation that a person skilled in the art can select as needed whether using a bit series indicating a storage area so as to switch a storage area (specify area), using a flag indicating an increase or a decrease to the storage area, or using an address in a block unit (See cited references 1, 3 to 5).

**(4) With regard to the invention in claim 13: cited references 1 to 5**

It is a mere matter of design variation that a person skilled in the art can select as needed to use a mechanical switch in order to select/switch/set one of the plural storage areas. Therefore, there is no particular difficulty in provision of the invention in the claim 13(See cited references 1, 2).

**(5) With regard to the invention in claim 14: cited references 1 to 5**

It is understood that merely specifying that the plural storage areas adopt different file systems without being accompanied by exceptional structure is within the scope of the ordinary creative activity.

**(6) With regard to the invention in claim 15: cited references 1 to 5**

It is understood that there is no particular difficulty in merely specifying corresponding specifications about the size and function of memory card.

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Reason B. This patent application does not comply with the requirement under Patent Law, Article 36(4).

**Note**

The present invention in claim 14 specifies 'the plural storage areas adopt different file systems'. However, there is no detailed description that 'file systems' means what in the specification and drawings originally attached to the application of the present invention. Moreover, there is no detailed description, of how to realize 'different file systems'.

As a result, the detailed description does not disclose the present invention in a manner sufficiently clear and complete the present invention in claim 14 to be carried out by a person skilled in the art.

If any reason(s) for refusal is found later, it will be notified

**LIST OF REFERENCES**

- (1) Japanese Patent Application Laid-open No. S63-143689
- (2) Japanese Patent Application Laid-open No. H4-372027
- (3) Japanese Patent Application Laid-open No. H7-302175
- (4) Japanese Patent Application Laid-open No. H06-95979
- (5) Japanese Patent Application Laid-open No. 2001-503166

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**Record of the result of prior art search**

*Technical field(s) to be searched	Int. C1 (7)	G06K 17/00
		G06K 19/00-19/08
		G06F 12/00-12/16
		G11C 16/00-16/06
		G11C 17/00

Reference No: AMB027016

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Dispatch Date: August 30, 2005

B42D 15/10

\*Prior art document(s) Japanese Patent Application Laid-open No. H7-78056

Japanese Patent Application Laid-open No. 2000-322539

International Publication No. WO 2002/05282 A2 ?

Japanese Patent Application Laid-open No. 2002-163139

Japanese Patent Application Laid-open No. H8-30750

Japanese Patent Application Laid-open No. 2000-260188

Japanese Patent Application Laid-open No. 2001-60397

This record is not a component(s) of the reason(s) for refusal.

If the applicant has any questions as to the contents of this Notice, or wishes to have an interview, please contact the examiner at

TEL: 03 (3581) 1101, ext.3586

FAX: 03 (3501) 0737.

Examiner: Murata

Examination Section 4, Information processing

## 拒絶理由通知書

特許出願の番号	特願2002-245863
起案日	平成17年 8月19日
特許庁審査官	丹治 彰 3563 5N00
特許出願人代理人	三好 秀和(外 6名)様
適用条文	第29条第2項、第36条

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

## 理 由

理由A. この出願の請求項1～22に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

## 記 (引用文献等については引用文献等一覧参照)

## (1) 請求項1、2、16、22について:引用文献1～4

引用文献1、2のいずれにも、メモリカードが複数の記憶領域（ブロック、バンク）を持つか否かを判断する複数領域認識部、前記複数の記憶領域（ブロック、バンク）の中で、アクセスする記憶領域（ブロック、バンク）を異なる記憶領域へ切り替える領域切り替え部を有するメモリカード・ホスト機器と、複数の記憶領域（ブロック、バンク）、前記記憶領域（ブロック、バンク）の数を示す値を保持する記憶領域数保持手段を有し、前記メモリカード・ホスト機器に対して、前記記憶領域数保持手段に保持された前記記憶領域（ブロック、バンク）の数を示す値が読み出されるように構成されたメモリカードと、前記メモリカード・ホスト機器と前記メモリカード間でデータを送受信するバスとを備えたメモリカード認識システムが記載されている。

ただし引用文献1、2のいずれにおいても、前記メモリカードの前記記憶領域数保持手段としては、具体的にはディップスイッチ（引用文献1、2における従来技術）および特定のアドレスのメモリ（引用文献1、2において発明として開示されている技術）が挙げられており、従って引用文献1、2には、

(a) 前記メモリカードの内部レジスタに前記記憶領域の数を示す値を保持す

ること、

(b) 前記メモリカード・ホスト機器に対して、前記記憶領域の数を示す値を送信するコントローラを有すること、  
については記載されていない。

ここで上記 (a)、(b) の2点について検討する。

(a) について

記憶領域の数を示す値のような属性情報や管理用情報を、内部レジスタに保持するように構成するか、それともディップスイッチあるいは記憶領域の一部に保持するように構成するかというようなことは、当業者が必要に応じて適宜決定できる設計的事項にすぎない。

(b) について

引用文献3、4のいずれにも、メモリへのアクセスを制御するとともに、ホスト機器とのコマンドやデータの授受を行うコントローラを設けてなるメモリカードにおいて、該コントローラが、メモリカード・ホスト機器に対して、メモリカードの有する記憶領域（セクタ、クラスタ）の数を示す情報を送信することが記載されている。

してみると、引用文献1、2に記載された発明において、引用文献3、4に記載されたメモリカードの記憶領域の数を示す値を送信するコントローラを適用して、請求項1に係る発明を構成することは、当業者が必要に応じて、普通になし得たものであり、格別な困難性は認められない。（請求項1）

また本願の請求項2、16、22に係る発明は、上記のように、引用文献1、2に記載されたメモリカード・ホスト機器の構成に比して、格別な相違点を有していない。（請求項2、16、22）

(2) 請求項3、4、8、9、17、18について：引用文献1～4

記憶領域の数を保持するのに、内部レジスタの予約領域を用いるか、あるいは専用に設けられた複数記憶領域用内部レジスタを用いるかというようなことは、いずれも当業者が必要に応じて適宜選択できる設計的事項にすぎない。

(3) 請求項5～7、10～12、19～21について：引用文献1～5

記憶領域の切り替え（領域指定）を行うのに、記憶領域を示すビット列を用いるか、あるいは現在参照している記憶領域からの增量、減量を示すフラグを用いて行うか、さらにはブロック・アドレスを用いるかというようなことは、いずれも当業者が必要に応じて適宜選択できる設計的事項にすぎない。（必要なら引用文献1、3～5参照。）

## (4) 請求項1～3について：引用文献1～5

選択、切り替えや設定を行うのに、メカニカルスイッチを用いることは、当業者が必要に応じて適宜決定できる設計的事項にすぎないので、請求項1～3に係る発明を構成することには、格別な困難性は認められない。（必要なら引用文献1、2を参照。）

## (5) 請求項1～4について：引用文献1～5

格別な構成を伴うことなく、単に複数の記憶領域が異なるファイル形式であることを特定するだけでは、通常の創作活動の範囲内にあるものと認められる。

## (6) 請求項1～5について：引用文献1～5

単にメモリカードの大きさや機能についての対応規格を特定することには、格別な困難性は認められない。

理由B. この出願は、発明の詳細な説明の記載が下記の点で、特許法第36条第4項に規定する要件を満たしていない。

## 記

本願の請求項1～4には、「前記複数の記憶領域は、異なるファイル形式であること」が特定されているが、本願の願書に添付された明細書及び図面には、本願における「ファイル形式」とは具体的に何を意味しているか、及び具体的にどのように「異なるファイル形式」を実現しているかについての説明の記載が認められない。

よって、この出願の発明の詳細な説明は、当業者が請求項1～4に係る発明を実施することができる程度に明確かつ十分に記載されていない。

拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

## 引　用　文　献　等　一　覧

143689号公報

2027号公報

2175号公報

4. 特開平6-95979号公報  
5. 特表2001-503166号公報

## 先行技術文献調査結果の記録

- ・調査した分野 I P C 第7版 G 0 6 K 1 7 / 0 0  
G 0 6 K 1 9 / 0 0 - 1 9 / 0 8  
G 0 6 F 1 2 / 0 0 - 1 2 / 1 6  
G 1 1 C 1 6 / 0 0 - 1 6 / 0 6  
G 1 1 C 1 7 / 0 0  
B 4 2 D 1 5 / 1 0
  - ・先行技術文献 特開平 7 - 7 8 0 5 6 号公報  
特開 2 0 0 0 - 3 2 2 5 3 9 号公報  
国際公開第 2 0 0 2 / 0 0 5 2 8 5 A 2 号 パンフレット  
(特表 2 0 0 4 - 5 1 1 0 3 0 号公報でも可) ←  
特開 2 0 0 2 - 1 6 3 1 3 9 号公報  
特開平 8 - 3 0 7 5 0 号公報  
特開 2 0 0 0 - 2 6 0 1 8 8 号公報  
特開 2 0 0 1 - 6 0 3 9 7 号公報

この先行技術文献調査結果は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第四部 情報処理 村田  
TEL. 03 (3581) 1101 内線3586  
FAX. 03 (3501) 0737